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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,903	07/11/2000	Heather J. Jordan	IVGN 187.1 CON	1446
65482	7590	07/31/2007		
INVITROGEN CORPORATION C/O INTELLEVATE P.O. BOX 52050 MINNEAPOLIS, MN 55402			EXAMINER SISSON, BRADLEY L	
			ART UNIT 1634	PAPER NUMBER
			MAIL DATE 07/31/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/613,903	JORDAN, HEATHER J.	
	<b>Examiner</b>	<b>Art Unit</b>	
	/Bradley L. Sisson/	1634	

**All Participants:**

(1) Bradley L. Sisson.

(2) Peter Foiles, Reg. No. 46,477.

**Date of Interview:** 18 July 2007

**Type of Interview:**  
☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)  
**Exhibit Shown or Demonstrated:** ☐ Yes ☐ No  
 If Yes, provide a brief description:

**Part I.**  
 Rejection(s) discussed:  
  
 Claims discussed:  
85-93, 105-113, and 125  
  
 Prior art documents discussed:

**Status of Application: 71**

(3) \_\_\_\_\_


(4) \_\_\_\_\_

**Time: 11:15**

**Part II.**  
 SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:  
*See Continuation Sheet*

**Part III.**  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

  
 (Examiner/SPE Signature)

\_\_\_\_\_  
 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Mr. Sisson noted that in applicant's response of 02 July 2007, Mr. Foiles had directed attention to page 9, lines 8-9, of the specification as providing a definition of "substantially equal relative mass." Mr. Sisson inquired if it was applicant's intention to have the different masses of fragments that comprise the different rungs of the nucleic acid ladder to all be within a factor of 3, or whether some other interpretation was intended. Mr. Sisson noted that if the definition was to be applied across all of the different fragment sizes, then seemingly claims 86-93 and 106-113 do not further limit claims 85 and 105 from which they depend.

Mr. Foiles indicated that the factor of 3 was to be applied to a specific band or rung, and not necessarily to multiple rungs of the ladder.

In response to inquiry by Mr. Sisson as to how claim 125, in light of the definition provided at page 9, lines 8-9, of the disclosure, further limited claim 85, Mr. Foiles indicated that claim 125 would be canceled.

Mr. Sisson inquired as to how the mass of the nucleic acid fragments was being determined, and if it also included the mass of any labels that may be attached thereto. Mr. Sisson indicated that the claims would seemingly encompass a ladder where some fragments may be labeled and other fragments are not labeled.

Mr. Foiles indicated that a supplemental response would be electronically filed within the next week, clarifying the above aspects .